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FILED
AUG 07 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
Juan Artemio ARAUJO-Zepeda,
Defendant.

Magistrate Case No. '08 MJ 8700

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960
Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

That on or about August 6, 2008, within the Southern District of California, defendant Juan Artemio ARAUJO-Zepeda, did knowingly and intentionally import approximately 18.88 kilograms (41.53 pounds) of marijuana a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Victor O. Esparza, Special Agent
U.S. Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, ON THIS 7th DAY OF AUGUST, 2008

PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

UNITED STATES OF AMERICA
v.
Juan Artemio ARAUJO-Zepeda

STATEMENT OF FACTS

This Statement of Facts is based on the reports, documents and notes furnished to U. S. Immigration and Customs Enforcement Special Agent Victor O. Esparza.

On August 6, 2008, at approximately 1209 hours, Juan Artemio ARAUJO-Zepeda (ARAUJO) applied for admission into the United States from Mexico at the Calexico, California, east port of entry. ARAUJO was the sole occupant driver of a 2004 Chevrolet Blazer.

ARAUJO gave a negative customs declaration to Customs and Border Protection Officer (CBPO) M. Salazar. ARAUJO and the vehicle were referred to secondary for further inspection.

In vehicle secondary, ARAUJO stated to CBPO J. Ortiz that he has owned the vehicle for three months, but was not registered in his name. A Narcotic Detector Dog alerted to the spare tire of the vehicle.

A total of eight (8) packages were removed from the spare tire. CBPO Ortiz probed one of the packages and a sample of a green leafy substance was extracted. The substance field tested positive for marijuana. The eight packages had a combined weight of approximately 18.88 kilograms (41.53 pounds) of marijuana.

Agent Esparza advised ARAUJO of his rights per Miranda. ARAUJO stated he understood his rights and was willing to answer questions without the presence of an attorney. ARAUJO admitted knowledge of the marijuana concealed within the vehicle.